

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JADENAE TRABACCHI,

Plaintiff,  
-against-

THE DEPARTMENT OF EDUCATION OF THE CITY OF  
NEW YORK, DAVID BANKS, Chancellor, and  
KATHERINE RODI, Director of Employee Relations,

**NOTICE OF MOTION TO  
DISMISS THE  
COMPLAINT**

No. 24 CV 6123(TAM)(RPK)

Defendants.

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**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss the Complaint, dated November 15, 2024, and upon all the papers and proceedings previously had herein, the undersigned will move this Court, on behalf of the Department of Education of the City of New York, before the Hon. Rachel P. Kovner, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza, Brooklyn, New York, 11201, on a date and time to be determined by the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Complaint in its entirety on the grounds that, as a matter of law, the Complaint fails to adequately state a claim upon which relief can be granted and for further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that Plaintiff's answering papers, if any, shall be served upon the undersigned on or before December 6, 2024, and Defendants shall serve their reply papers, if any, upon Plaintiff on or before December 20, 2024.

Dated: New York, New York  
November 15, 2024

**MURIEL GOODE-TRUFANT**  
Acting Corporation Counsel of the  
City of New York  
Attorney for Defendants  
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By: /s/ Kathleen M. Linnane  
Kathleen M. Linnane  
Assistant Corporation Counsel  
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cc: All Parties of Record (By ECF)  
J. Trabacchi (By email at jadenaetrabacchi@gmail.com)  
J. Trabacchi (By Certified Mail, Return Receipt, United States Postal Service to:  
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